

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

RICHARD L. QUINN, JR.,

Plaintiff,

v.

Civil Action 2:11-cv-00268

Judge James L. Graham

Magistrate Judge E.A. Preston Deavers

ROBIN KNAB, WARDEN,

Defendant.

ORDER

This matter is before the Court for consideration of the January 9, 2012 Report and Recommendation of the United States Magistrate Judge Elizabeth A. Preston Deavers. (ECF No. 30.) The Magistrate Judge recommended that the Court dismiss Defendants Mohr and Freeman from this action without prejudice pursuant to Federal Rule of Civil Procedure 4(m) for failure to timely effect service of process.

The Report and Recommendation specifically advises Plaintiff that the failure to object to the Report and Recommendation within fourteen days of the Report results in a “waiver of the right to de novo review . . . by the District Judge and waiver of the right to appeal the judgment of the District Court.” (Report and Recommendation 2, ECF No. 30.) The time period for filing objections to the Report and Recommendation has expired. Plaintiff has not objected to the Report and Recommendation.

The Court has reviewed the Report and Recommendation. Noting that no objections have

been filed and that the time for filing such objections has expired, the Court **ADOPTS** the Report and Recommendation. (ECF No. 30.) Accordingly, the Defendants Mohr and Freeman are **DISMISSED WITHOUT PREJUDICE** pursuant to Rule 4(m).

IT IS SO ORDERED.

S/ James L. Graham
James L. Graham
UNITED STATES DISTRICT COURT

Date: February 1, 2012